



King County Executive
RON SIMS

March 16, 1999

Dear Citizen:

The salmon—and the waters in which they live—define our quality of life in the Puget Sound Region. In King County, we have a long history of environmental protection, and, since 1987, we have been working to preserve salmon and their habitat.

Last year, the National Marine Fisheries Service announced that the Puget Sound Chinook salmon would be proposed for listing as a threatened species. This announcement served as a wake-up call for all of us, bringing to our attention that the salmon, their habitat, and our environment are in peril.

This is the first time in history that a large urban area—such as the area encompassed by the counties of King, Pierce and Snohomish—will feel the impacts of an Endangered Species Act listing. To conserve the species, the federal government will issue rules that may affect what citizens can do with their land, how we use water, and how we conduct the routine activities that support our urban society.

Our choice was clear. The region needed to develop an aggressive response that recognized the challenge of recovering species within a complex urban environment. In short, we could not wait for others to act.

My colleagues, Snohomish County Executive Bob Drewel and Pierce County Executive Doug Sutherland, and I accepted responsibility for convening regional stakeholders to develop a coordinated response to the salmon listing. In February 1998, we formed a Tri-County partnership that includes representatives of federal, state, tribal and local governments; representatives of businesses and environmental groups; and citizens.

Through this collaborative effort, we are working to set aside policy differences under the mutual interest of long-term salmon recovery. This is the largest, most comprehensive cooperative effort ever undertaken in the history of this region. We have created an approach to conserve salmon, sustain our vibrant economy—and control our own destiny.

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The Tri-County partnership is developing a comprehensive, science-based recovery plan that identifies immediate actions and commits to long-term conservation plans that will lead to recovery of the chinook salmon, while maintaining our region's economic vitality and strength. This document provides a summary of King County's approach.

Our response includes early scientifically based projects to protect, preserve, and restore critical habitat to ensure a properly functioning ecosystem to support salmon. New regulations and enforcement will improve land use activities, and various voluntary programs will encourage landowners to protect critical habitat on their land.

Our work is now just beginning. It will take many years, even decades, to accomplish the work of recovering chinook salmon in Puget Sound. Government actions are part of the solution, but our success depends upon gaining full public support and active citizen involvement in salmon conservation.

Our goal is recovery of the salmon. However, our ultimate purpose is to restore our environment so that we may provide for the co-existence of people and fish in the Pacific Northwest.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Sims", with a stylized, cursive script.

Ron Sims
King County Executive

cc: The Honorable Bob Drewel, Snohomish County Executive
The Honorable Doug Sutherland, Pierce County Executive
Bruce Laing, Tri-County Endangered Species Act Coordinator
Tim Ceis, Director, Endangered Species Act Policy Coordination Office

Return of the Kings: An Executive Summary

Strategies for the long-term
conservation and recovery of
the chinook salmon

King County's Response Report
to the proposed Endangered Species Act listing

Submitted to the

National Marine Fisheries Service by

The King County Endangered Species Act Policy Office

March 16, 1999

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1-877-SALMON9 or <http://www.salmon.gen.wa.us>.



The Issue: Chinook Salmon Conservation and Recovery

Wild Pacific salmon have great cultural, economic and recreational importance in the Pacific Northwest. An abundant chinook salmon population is an indicator of a thriving environment. But the threat of extinction to the Puget Sound chinook salmon raises serious issues about the health of our region's environment and our future quality of life.

The listing of the chinook salmon as threatened under the federal Endangered Species Act (ESA) challenges the Puget Sound region to address the interacting factors that contribute to the decline of our native salmon. Our goal must be the long-term recovery of salmon to not just sustainable, but harvestable levels while maintaining the region's economic vitality and strength.

In anticipation of the ESA listing, King County has been working for the past year in close partnership with Pierce and Snohomish Counties, representatives of cities, state and tribal governments, and business, environmental and citizen groups. Known as the Tri-County response, it is a multi-jurisdictional partnership which produced a comprehensive, science-based recovery plan that identifies immediate actions and commits to long-term conservation plans that will lead to recovery of the chinook salmon.

The "Tri-County Initiative to Recover the Puget Sound Chinook" includes the conservation plan of each county and the cities within its boundaries. This multi-jurisdictional initiative for salmon restoration is the largest cooperative effort ever undertaken in our region's history. Through the Tri-County partnership, we have created a strategy to conserve salmon, sustain our economy – and control our region's destiny.

The King County contribution to the "Tri-County Initiative," entitled "Return of the Kings – Strategies for the long-term conservation and recovery of the chinook salmon," illustrates both immediate and longer-term commitments to salmon recovery through a description of past, continuing and early conservation actions.

King County has been at the forefront of efforts to protect salmon resources long before the listing of chinook under the ESA was ever considered. Beginning in 1987 with adoption of the first watershed basin plan and continuing with the acclaimed Waterways 2000 program that preserved more than 1,900 acres of critical salmon habitat, King County has pioneered environmental planning and protection in the state of Washington. King County's past and continuing actions include total acquisition of more than 29,000 acres of natural lands, and passage of environmental standards that protect salmon and critical habitat.

Early actions being proposed by King County include a comprehensive inventory of immediate improvements to environmental standards and practices, enhanced enforcement of existing regulations, habitat acquisition and restoration projects, and their funding status. In addition, King County convened a

seven-member panel of scientists and ecologists to review and assess programs, policies and regulations most relevant to the conservation of salmon (e.g. development regulations, basin plans, wastewater treatment program). Following its assessments, the panel worked with County department managers and policy staff to prepare recommendations for specific actions or further analysis directed toward improving protection of chinook salmon.

This executive summary is an overview of “Return of the Kings,” the King County response report to the proposed ESA listing. The report was submitted to the National Marine Fisheries Services on March 16, 1999.

Our goals

Development of the King County proposal was shaped by the need to address three primary goals:

To provide for the conservation of threatened species and ecosystems upon which they depend.

Several factors are contributing to the decline of chinook salmon, from loss or degradation of habitat, to variations in ocean conditions. Salmon require high-quality environments from their freshwater spawning grounds in Puget Sound streams, to their migratory paths through major rivers, estuaries, and to the ocean, where they grow and mature before returning to their natal streams to reproduce. Thus, any recovery plan must address the range of environments through which salmon pass and the variety of habitats upon which they depend. Any aspect of an approach to the problems of salmon decline, whether political, social or scientific, must recognize the complexity involved in management of the ecosystem that supports the lifecycle of the chinook salmon.

Within the scientific community, there is a movement away from addressing the problem of salmon decline on a species-by-species basis, but rather toward a multi-species and ecosystem-based management strategies. The Endangered Species Act itself calls for an ecosystem approach as its principle goal. In section 2 of the Act, the purpose is made clear: “...to provide a means whereby the ecosystems upon which endangered and threatened species depend may be conserved, and to provide a program for the conservation of these species.”

In guidance cited in the *Coastal Salmon Conservation: Working Guidance for Comprehensive Salmon Restoration Initiatives on the Pacific Coast* (NOAA 1996), the National Marine Fisheries Service describes the ecosystem approach in more detail. In this guidance, NMFS provides these five principles for ecosystem management that are central to salmon conservation:

- Maintain and restore natural watershed processes that create habitat characteristics favorable to salmonids.
- Maintain habitats required by salmonids during all life stages from embryos and alevins through adults.
- Maintain a well-dispersed network of high-quality refugia to serve as centers of population expansion.

- Maintain connectivity between high-quality habitats to allow for re-invasion and population expansion.
- Maintain genetic diversity.

The implication is clear: The conservation of salmon requires the conservation of their ecosystems.

To afford King County and its cities the predictability and legal protections necessary to carry out its responsibilities as a local, general-purpose government.

After listing the chinook as threatened under the ESA, the federal government, through the National Marine Fisheries Service (NMFS), will adopt a regulatory rule leading to recovery of the species. One option NMFS can take is to adopt a rule, pursuant to Section 4(d) of the ESA, that simply prohibits “take” of the species. Under Section 9 of the ESA, a take is defined as any actions that harass, harm, pursue, kill, collect, or modify the habitat to impair essential behaviors including breeding, feeding or sheltering of any threatened species.

A general prohibition of take could throw a legal cloud over many government activities ranging from land uses to construction permitting, to water supply and road maintenance. In response, government and private sector resources would be spent on legal strategies instead of investing in collaborative approaches to preserve and restore habitat and improve water quality and quantity. King County does not believe it is in the best interests of this region, the federal government, or the salmon, for NMFS to issue such a general prohibition.

Instead, King County and its regional partners are asking NMFS to accept the Tri-County proposals and include them in a complex 4(d) rule by recognizing our salmon recovery plans as a package of actions that, taken together, will lead to conservation of the species. This approach will provide an incentive for King County and our Tri-County partners to continue our commitment toward conservation and recovery of the Puget Sound chinook salmon.

To encourage the long-term recovery of the species to sustainable levels.

The salmon problem is complex and took many years to develop. Its solution will require a considerable commitment of time, money and effort. The successful restoration of habitat and protection of the estuaries, rivers and streams in which salmon live, will require that federal, state, tribal and local governments work together with private citizens to conserve the species. The Tri-County and King County responses depend on this collaboration, and a strategy of early and continuing conservation which, in combination with the long-term commitment of resources to watershed-based actions, will lead to recovery of the Puget Sound chinook salmon.

This report, in its totality, describes how King County meets the following criteria for a comprehensive salmon restoration strategy as defined by NMFS in the 1996 guidance document.

1. Identify at appropriate scales the factors that have contributed to the decline of the Evolutionary Significant Unit (ESU). (*Chapters 3 and 7*)

2. Establish priorities for action. (*Chapters 5,6,7 and 8*)
3. Establish explicit objectives and timelines for eliminating or reducing all major factors for decline and for achieving desired population characteristics. (*Chapter 7*)
4. Establish quantifiable criteria and standards by which progress toward each objective will be measured. (*Chapter 7*)
5. Adopt measures (actions) needed to achieve the explicit objectives. A plan should include measures to protect and restore habitat wherever habitat condition is a factor of decline, whether on private or public lands. (*Chapters 5,6 and 7*)
6. Provide high levels of certainty that the identified measures and actions will be reliably implemented, including necessary authorities, commitments, funding, staffing, and enforcement measures. (*Chapters 5,6,7 and 8*)
7. Establish a comprehensive monitoring program, including methods to measure whether objectives are being met and to detect population declines and increases in each ESU. (*Chapters 5 and 7*)
8. As much as possible, integrate federal, state, tribal, local, corporate, and non-governmental activities and projects that are designed to recover salmon populations and the habitats upon which they depend. (*Chapters 1,7 and 9*)
9. Utilize an adaptive management approach that actively shapes management actions to generate needed information. (*Chapters 2 and 7*)

Conclusion

The proposal we are making is substantive and will lead to conservation of the Puget Sound chinook salmon. By advocating for a complex 4(d) rule the Tri-County is not requesting a delay in the listing, and we are not advocating for a delay in the promulgation of a final rule. Instead, we are proposing the collaborative development of a 4(d) rule that recognizes the challenge of recovering salmon in a complex urban landscape and provides our region the flexibility to meet that challenge.

Inherent in this proposal is a recognition that this is a long-term endeavor, one that will never really be “finished.” Our ultimate challenge will be to successfully alter past behaviors that impede our ability to long-term recovery of our salmon resources.

We believe that our proposal for a complex 4(d) rule is the only approach that will accomplish the goal of multi-species conservation plans to recover salmonids and bull trout in the Puget Sound region.